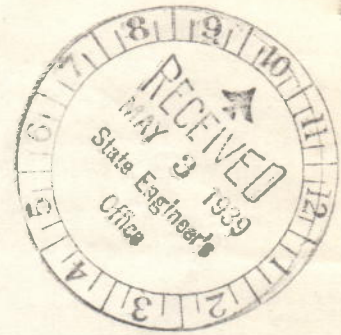


OFFICE OF
SEVIER RIVER
WATER COMMISSIONER

Richfield, Utah.
May 2, 1939.



Mr. T. H. Humpherys,
Utah State Engineer,
Salt Lake City, Utah.

Dear Sir;

In accordance with your telephoned instructions made yesterday I have visited the distribution works in general of Monroe Creek and have talked with several of the water users from that creek and hereby report as follows;

The waters of Monroe Creek are distributed by Commissioner Martin Larsen of Monroe, Utah who is appointed by a crowd of the water users who just get together on some informal occasion and decide to have Mr. Larsen look out for their interests and it seems that his distribution is respected by all the users although a lot of them did not know how he was appointed or when it took place. He has been commissioner for several years.

I have prepared a very rough sketch showing the locations of the various ditches carrying water from the creek. By referring to this sketch you will note;

1. That Monroe Town Ditch leads northerly. The weir is located very near the point of division of the waters. This ditch carries very nearly all the primary rights on the creek together with about 2 cfs of 1st high water and 2nd high water right. And during the latter part of the irrigation season practically all the water from Monroe Creek flows down this ditch.

2. The ditch leading from the point of division of the waters (Called Point A) to the Annabella extension of the Monroe South Bend Canal leads Northwesterly. The water in this ditch is measured just above where it enters this canal. It is claimed by some especially the highwater users that the water in this division is allowed to spread out a quite a lot over the gravelly aluvial fan before it is measured through the weir which is about a mile below Point A.

3. The Jones and Bohman ditches lead westerly from point A. These ditches divide about $\frac{1}{4}$ mile below Point A and then meander over the aluvial fan for another $\frac{1}{4}$ mile where the water is measured in two measuring weirs. It is claimed by the high water users that the water in these two ditches is allowed to spread out over the gravelly aluvial fan before it is measured and that there is excessive losses here that could be avoided.

4. The Bertlesen ditch leads Southwesterly. It is a well defined constructed canal and the waters are measured about $\frac{1}{4}$ mile below point A.

I should have stated under "2" above that the water flowing in the Annabella ditch has been purchased from water users who formerly used their water mostly in the Bertlesen Ditch. It is claimed that no application has ever been made to the State Engineer for the change of place of use of this water and that this change has been protested to Commissioner Larsen but that it has been allowed nevertheless. Sec-100-33

The water rights under Monroe Creek are defined in the "Cox Decree" on pages 35, 36 and 43. They are listed about as follows;

Primary rights page 35	9.00	cfs	✓
1st Class High water right, pages 35 and 36	5.53	"	
2nd Class High water right, page 36	17.57	"	
3rd Class High water right, page 36	11.00	"	
4th Class High water right, page 36	4.00	"	Erickson State
5th Class High water right, page 43	20.00	"	✓
6th Class High water right, page 43	9.00	"	67.0
	76.10	"	

5th Class high water right is represented by the ERICKSON AND HAYES and STATE OF UTAH APPLICATIONS with a priority of Aug. 7, 1906 (page 43)

6th Class high water right is represented by PARLEY MAGLEBY AND STATE OF UTAH APPLICATIONS having a priority of Aug. 21, 1906. (page 43).

The 6th Class highwater rights are considered valueless so they will not be here considered since noone is using them or even claiming them in an active way.

This leaves water rights of about 67 cfs that are being actively used whenever available.

The amount of water flowing in the above ditches when it is available is about as follows;

Monroe Town Ditch	9.5	cfs
Annabella ditch	6.0	
Jones Ditch	5.6	
Bohman Ditch	7.8	
Bertlesen Ditch	38.2	
Total	67.1	

Now as I found it from the conversation I had with you and from talking to the users here at Richfield and at Monroe I find that all the users owning water in the Bertlesen ditch have signed the petition you have in your office or are anxious to sign it. Monroe Town is not interested since they have the primary right and feel that they will not be bothered or interferred with no matter who distributes the water. The users in the Annabella, Jones and Bohman ditches would rather see the operation or distribution of the water go on as it is at present. So that there is a majority of the owners of water right who have signed or are anxious to sign the petition you have. By this I mean the owners of a majority of the water.

The things that are beingcomplained of are as follows;

1. Measurements should be made as near the Point A (sketch) as possible before losses on the aluvial fan are incurred. *See 2nd Par. Page 230 of Decree*
2. Annabella people should not be allowed to transfer the water they have purchased unless they leave some of it in the Bertlesen Ditch to compensate the users that are left there for losses they may sustain. *See 100-33*
3. The dividing weir or structure should be made automatic so that it will divide the waters of the creek at Point A under the fluctuating condition of the stream. *See Page 230 of Decree*

At present rock dams are used in making the division.
Trusting that this will give you an idea of the situation, I am

PS. The Jones , Bohman and Annabella people state that their points of diversion are at their measuring weirs, that the natural channel of Monroe Creek extends down over the aluvial fan.

J. L. C.

Very truly yours,
J. Lerue Ogden
Commissioner.

